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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

		Application No.	Applicant(s)
Office Action Summary		09/965,148	OKAYAMA ET AL.
		Examiner	**Art Unit**	
		Farzana E. Hossain	2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 September 2007</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,6,49-54 and 59-64* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,6,49-54 and 59-64* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>14 September 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This office action is responsive to communications filed 09/04/2007. Claims 1-3,

5, 6, 49-54, 59-64 are pending. Claims 1 and 49-53 are amended. Claims 2, 3, 5, 6

and 54 have been previously presented. Claims 4, 7-48, 55-58 are cancelled. Claims

59-64 are new.

Response to Arguments

2.   Applicant's arguments with respect to claim 54 have been considered but are

moot in view of the new ground(s) of rejection.

3.   Applicant's arguments with respect to claims 1-2, 5-6, 49-53 have been

considered but are moot in view of the new ground(s) of rejection.

The rejection of independent claim is now unpatentable over Chernock in view of

Safadi. Dependent claims include previously cited prior art. The applicant argues that

Zigmond disclose that the source of ad selection rules may be designated in any

desired way and that a memory are is not exclusively usable by a respective advertiser.

In response to arguments Zigmond discloses that the rules can be designated in

any desired way, which would include an agreement, by the parties (Column 11, lines

54-55) or the rules can be determined unilaterally and one particular entity can have

sole control (Column 11, lines 56-62). Zigmond discloses that it can one or all or a combination. Chernock discloses that advertisers have exclusive memory areas. See new rejection.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5.   Claims 59-64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 49-63 recite "memorized" or "memorizes." Memorize means to learn by heart. The meaning of the word is interpreted to be "stored" with the context of the claim. The Office assumes "memorized" to be –stored--. The Office assumes that the "memorizes" to be –stores--.

Claim Rejections - 35 USC § 102

6.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

7.   Claims 54 and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by

Chernock et al (US 6,772,209 and hereafter referred to as "Chernock").

        Regarding Claim 54, Chernock discloses a data receiving method of receiving

data sent via a broadcast wave or an electric communication line (Column 3, lines 5-6,

Column 4, lines 12-15), comprising the steps of:

        securing an exclusive memory area, exclusively usable by a respective

provider or sender of the data, in a storage area, in response to a corresponding

instruction from a user of the data other than the provider or the sender (Column 3, lines

8-10, Figure 4, Column 10, lines 52-62, Column 7, lines 43-47); and

storing received data in different memory areas among a plurality of memory

areas in a storage unit, which are logically or physically separated from one another, in

accordance with an identifier added to the received data (Column 7, lines 31-54,

Column 10, lines 8-10), wherein the different memory areas include the exclusive

memory area, wherein the received data is stored in the exclusive memory area when

the received data is what is desired by the provider or sender to be stored in the

exclusive memory area (Column 6, lines 20-23, Column 7, lines 31-54, Column 10, lines

8-10); and wherein the exclusive memory area is a restricted memory area subjected to

restriction such that at least one of alteration and deletion of the data is prohibited if

based on an instruction from a user of the data receiving apparatus other than the

provider or the sender, a provider other than the provider, or a sender other than the

sender based on the absolute rights which allow the content provider of data to own the

storage space for a particular time sold by the user of the box or the source node or the

intermediate node (Column 6, lines 20-23, 45-65).

Regarding Claim 59, Chernock discloses a data receiving apparatus for receiving

data sent via a broadcast wave or an electric communication line (Column 3, lines 5-6,

Column 4, lines 12-15), comprising:

a processing unit (Column 3, lines 8-10, Figure 4, Column 10, lines 52-62,

Column 7, lines 43-47); a receiving unit for receiving the data (Column 4, lines 12-15,

Column 10, lines 37-51); a storage unit having a plurality of memory areas (Column 6,

lines 20-23, Column 7, lines 31-54, Column 10, lines 8-10); a display unit for displaying

the received data (Column 7, lines 50-55, Column 4, lines 12-15, Column 3, lines 30-

31);

wherein at least one of the memory areas is an exclusive memory area being

subjected to restriction prohibiting at least one of writing, reading, alteration and deletion

of the data based on instruction from a user of the data receiving apparatus other than a

provider or a sender of the data based on the instructions of the source node with

access information which detail absolute rights that indicate that a provider owns the

storage space for a specific time prohibiting one of writing, reading, alteration and

deletion (Column 6, lines 20-23, column 7, lines 35-50);

wherein the received data has a first data and a second data, wherein when the

processing unit decides (Column 7, lines 48-62), based on first information attached to

the received data, that a part of the received data is the second data, the display unit

displays a data stored in the storage unit instead of the second data included in the

received data or incoming content stream such as a program and control information

(Column 5, lines 20-24) includes commercials advertisements that are replaced by

resident content or content triggered by control data (Column 7, lines 50-61, Column

13, lines 23-32, Column 11, lines 55-60).

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

9.   Claims 1 rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock

in view of Safadi (US 6,742,121).

        Regarding Claim 1, Chernock discloses a data receiving apparatus for receiving

data sent a broadcast wave or an electric communication line (Column 3, lines 5-6,

Column 4, lines 12-15), comprising:

        a receiving unit for receiving the data (Column 4, lines 12-15, Column 10, lines

37-51);

        a storage unit for storing the received data (Column 4, 62-67, Figure 4) and

a processing unit for securing exclusive memory areas (Column 3, lines 8-10,

Figure 4, Column 10, lines 52-62, Column 7, lines 43-47), each being exclusively usable

by a respective provider or sender of the data in the storage unit (Column 6, lines 17-30,

Column 7, lines 33-54), access to the exclusive memory areas by a user of the data

receiving apparatus other than the provider or sender being subjected to restriction, and

the securing being in response to a corresponding instruction from the user or only

(Column 7, lines 31-54),

wherein the processing unit has an application to manage disk space of an

exclusive memory area (Column 10, lines 21-25, 45-67, Column 13, lines 23-35).

Chernock is silent that the processing unit sends a memory capacity or a storage time

duration of an exclusive memory area onto the electric communication line in

accordance with a predetermined schedule, upon reception of a request from the

provider or sender over electric communication line or upon detection of occurrence of a

damage of the memory area. In analogous art, Safadi disclose that the processing unit

sends a memory capacity a memory area onto the electric communication line and

checks the capacity in accordance with a predetermined schedule checks of the

memory size (Column 10, lines 11-34) or sends the memory capacity onto the electric

communication line upon detection of occurrence of a damage of the memory area

(Column 10, lines 34-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Chernock to include that the processing unit

sends a memory capacity a memory area onto the electric communication line upon

detection of occurrence of a damage of the memory area (Column 10, lines 34-37) as

taught by Safadi in order to minimize adverse performance effects (Column 10, lines 11-

34) as disclosed by Safadi.

Regarding Claim 2, Chernock and Safadi all the limitations of Claim 1. Chernock

discloses that the storage unit has a user memory area for storing received data in

accordance with an instruction from a user of the data receiving apparatus or the

storage unit has memory area including sections owned by the user and content is

stored based on the rights associated with the content instructed or given by the user

(Column 8, lines 63-67, Column 9, lines 1-15, 55-67, Column 10, lines 1-20).

Regarding Claim 5, Chernock and Safadi disclose all the limitations of Claim 1.

Chernock discloses that an identifier added to the received data, the processing unit

determines if the received data is data to be stored in the exclusive memory area

(Column 9, lines 23-64, Column 15, lines 3-10).

Regarding Claim 6, Chernock and Safadi disclose all the limitations of Claim 1.

Chernock discloses that the storage unit has a plurality of exclusive memory areas

logically separated from one anther in association with a plurality of providers or

senders (Column 3, lines 8-10, Figure 4, Column 10, lines 52-62, Column 6, lines 17-30,

Column 7, lines 33-54).

10.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock

and Safadi as applied to claim 2 above, and further in view of Hanai et al (US

2005/0160455 and hereafter referred to as "Hanai").

Regarding Claim 3, Chernock and Safadi disclose all the limitations of Claim 2. Chernock and Safadi are silent on a storage unit for a user memory area for storing received data with an instruction from a user of data receiving apparatus. Hanai discloses an entertainment system which a provider transmits data to a user's receiver (Figure 1, Figure 2) in accordance with an instruction from a user of the data receiving memory area (Figure 5, Figure 6, Figure 7). Hanai discloses processing unit or record manager displaying on a display unit an unused memory capacity or available capacity (Page 4, paragraph 0051), a used memory capacity (Figure 10, Page 4, paragraph 0051) of the user memory area. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination to include processing unit or record manager displaying on a display unit an unused memory capacity or available capacity (Page 4, paragraph 0051), a used memory capacity (Figure 10, Page 4, paragraph 0051) of the user memory area in accordance with an instruction from a user of the data receiving apparatus (Figures 5-7) as taught by Hanai in order to for the receiver to choose the optimal record media based on program data quantity (Page 1, paragraph 0008) as disclosed by Hanai.

11.   Claims 49-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chernock in view of Safadi as applied to claim 1 above, and further in view of Zigmond et al (US 6,698,020 and hereafter referred to as "Zigmond").

Regarding Claim 49, Zigmond, Lund and Coleman disclose the limitations of Claim 1. Chernock discloses a plurality of exclusive memory areas stores sub data

about a commercial or service catalog (Column 3, lines 8-10, Figure 4, Column 10, lines

52-62, Column 6, lines 17-30, Column 7, lines 33-62) and that the memory areas are

exclusive to advertisers who pay for rights which include absolute or conditional

(Column 6, lines 19-21). Chernock disclose collecting data about what the user

watches (Column 10, lines 28-36). Chernock and Safadi are silent on the other memory

areas store main data about a broadcast program. In analogous art, Zigmond discloses

that wherein those memory areas which are other than a exclusive memory area, which

stores advertisement data and rules only by advertisers (Column 11, lines 50-65, Figure

5, 83), stores main data about a broadcast program (Figure 5, 81); and the exclusive

memory area stores sub data about a commercial or service providing offer by

advertisers only (Figure 5, 86, 83, 82). Therefore, it would have been obvious to one of

ordinary skill in the art at the time the invention was made to modify the combination to

include those memory areas which are other than the exclusive memory area, which

stores advertisement data and rules by advertisers only (Column 11, lines 50-65, Figure

5, 82, 83), stores main data about a broadcast program (Figure 5, 81, Column 10, lines

34-37) as taught by Zigmond in order to allow the user to have more control over the

selection of advertisements to increase advertising revenue for the networks by using

data provided by headend for what the viewers watch to target the correct audience

(Column 1, lines 7-11, 44-54) as disclosed by Zigmond.

Regarding Claim 50, Chernock, Safadi and Zigmond disclose the limitations of

Claim 49. Chernock discloses the processing unit changes sub data included in main

data to sub data stored in the exclusive memory are when (Column 7, lines 33-62).

Zigmond discloses the processing unit for changing sub data included in the main data

to the sub data stored in the memory area and displaying the main data containing the

changed sub data on a display unit or the ad selection criteria uses the parameters and

rules to change the sub data or advertisement (Column 14, lines 1-12, Figure 5, 83,

Column 11, lines 13-49).

Regarding Claim 51, Chernock, Safadi and Zigmond disclose the limitations of

Claim 50. Chernock discloses the processing unit changes sub data included in main

data to sub data stored in the exclusive memory are when (Column 7, lines 33-62).

Zigmond discloses that the processing unit changes sub data included in the main data

to the sub data stored in the memory area when making a decision that an expiration

period of the sub data included in the main data has passed or with any time sensitive

advertisements another advertisement can replace it (Column 14, lines 4-12).

Regarding Claim 52, Chernock, Safadi and Zigmond disclose the limitations of

Claim 50. Chernock discloses the processing unit changes sub data included in main

data to sub data stored in the exclusive memory (Column 7, lines 33-62). Zigmond

discloses that the processing unit changes sub data included in the main data to the sub

data stored in the exclusive memory area in accordance with a priority order

predetermined for the sub data stored in the exclusive memory area or a certain

advertisement is displayed in reference to a specific program being displayed (Column

12, lines 66-67, Column 13, lines 1-3), an advertiser makes it a priority that his

advertisement is shown regardless of programming (Column 12, lines 44-59), the profile

of a particular viewer creating the priority of the advertisements (Column 2, lines 33-43),

or the viewer selecting a particular advertisement or a default advertisement (Column

17, lines 3-9).

Regarding Claim 53, Chernock, Safadi and Zigmond disclose the limitations of

Claim 49.   Chernock discloses the processing unit inserts the sub data in the main data

and displays the main data having the inserted sub data (Column 7, lines 33-62).

Zigmond discloses comprising a processing unit for inserting the sub data in the main

data and displaying the main data having inserted sub data (Figure 5, Figure 6).

12.   Claims 60 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chernock in view of Hite et al (US 5,774,170 and hereafter referred to as "Hite").

Regarding Claim 60, Chernock discloses all the limitations of Claim 59.

Chernock discloses). Chernock disclose control data that the control data triggers the

replacement of the second information by the data stored in the exclusive memory area

(Column 7, lines 50-61, Column 13, lines 23-32, Column 11, lines 55-60). Chernock

does not explicitly discloses that second information accompanies the received data

other than first information or triggering control data, whether the second data is able to

be replaced with the stored data.   In analogous art, Hite discloses processing unit

decides, based on second information attached to the received data other than the first

information, whether the second data is able to be replaced with the stored data (Figure

5, 438, Column 9, lines 16-30, Column 7, lines 35-50). Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify

Chernock to include processing unit decides, based on second information attached to

the received data other than the first information, whether the second data is able to be

replaced with the stored data (Figure 4, 438, Column 9, lines 16-30, Column 7, lines 35-

50) as taught by Hite in order to determine commercials that do not match so that the

targeted commercials to the users (Column 3, lines 45-62, Column 4, lines 41-61) as

disclosed by Hite.

Regarding Claim 61, Chernock discloses all the limitations of Claim 59.

Chernock discloses commercials, data, advertisements are stored in an exclusive

memory area and that display unit displays a data stored in an exclusive memory area

(Column 6, lines 20-23, column 7, lines 35-55). Chernock does not explicitly disclose

based on an order of priority determined for at least one of a data stored. Hite discloses

based on an order of priority determined for at least one of a data stored, the display

unit displays a stored data (Column 3, lines 45-62, Figure 4, 438, Column 9, lines 16-30,

Column 7, lines 35-50). Therefore, it would have been obvious to one of ordinary skill in

the art at the time the invention was made to modify Chernock to include based on an

order of priority determined for at least one of a data stored, the display unit displays a

stored data (Column 3, lines 45-62, Figure 4, 438, Column 9, lines 16-30, Column 7,

lines 35-50) as taught by Hite in order to determine commercials that do not match so

that the targeted commercials to the users (Column 3, lines 45-62, Column 4, lines 41-

61) as disclosed by Hite.

13.   Claim 62 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Chernock in view of Lewis (US 2003/0040962) and Zigmond.

Regarding Claim 62, Chernock discloses a data receiving apparatus for receiving

data sent via a broadcast wave or an electric communication line (Column 3, lines 5-6,

Column 4, lines 12-15), comprising:

a processing unit (Column 3, lines 8-10, Figure 4, Column 10, lines 52-62,

Column 7, lines 43-47); a receiving unit for receiving the data (Column 4, lines 12-15,

Column 10, lines 37-51); a storage unit having a plurality of memory areas (Column 6,

lines 20-23, Column 7, lines 31-54, Column 10, lines 8-10); a display unit for displaying

the received data (Column 7, lines 50-55, Column 7, lines 50-55, Column 4, lines 12-15,

Column 3, lines 30-31);

wherein at least one of the memory areas is an exclusive memory area being

subjected to restriction prohibiting at least one of writing, reading, alteration and deletion

of the data based on instruction from a user of the data receiving apparatus other than a

provider or a sender of the data based on the instructions of the source node with

access information which detail absolute rights that indicate that a provider owns the

storage space for a specific time prohibiting one of writing, reading, alteration and

deletion (Column 6, lines 20-23, column 7, lines 35-50);

wherein the received data has a first data and a second data, wherein when the

processing unit decides (Column 7, lines 48-62), based on first information attached to

the received data, that a part of the received data is the second data, the display unit

displays a data stored in the storage unit instead of the second data included in the

received data or incoming content stream such as a program and control information

(Column 5, lines 20-24) includes commercials advertisements that are replaced by

resident content or content trigged by control data (Column 7, lines 50-61, Column 13,

lines 23-32).

wherein the received data includes a plurality of first data or a plurality of

programs (as the node maintains information for the programs viewed) (Column 10,

lines 28-35) and a plurality of second data or video clips (Column 5, lines 30-32,

Column 11, lines 55-60);

wherein when the processing unit decides, based on information attached to the

received data or control data, that a part of the received data is the second data or

video clips, the processing unit stores the second data in the exclusive memory area

(Column 8, lines 63-67, Column 9, lines 1-15, 20-45, Column 6, lines 20-23, Column 11,

lines 38-64).

Chernock is silent on wherein when the processing unit decides, based on

information attached to the received data, that a part of the received data is the first

data, the processing unit stores the first data in the memory areas other than the

exclusive memory area, and wherein when the display unit displays the second data

memorized in the exclusive memory area, the display unit displays the first data

memorized in the memory areas other than the exclusive memory area.

Lewis discloses receiving a plurality of a first data and a plurality of second data

(Pages 17- 18, paragraphs 0179-0187), the processing unit storing the advertising data

in to exclusive memory areas or advertising sections or spaces or data boxes that re

purchased by providers including advertisers (Page 18, paragraphs 0186-0187), the

processing unit decides based on information attached to the received data that part of

the received data is the first data or based on identification of program information a

program (Page 14, paragraph 0152, Page 17, paragraph 0173) and the processing unit

stored the first data into memory areas another than the exclusive memory area or

based on programs sent to the user first data is recorded on the VR/DMS system other

than the advertising sections which are reserved for the content providers including

advertisers (Page 15, paragraphs 0155, 0157). Zigmond discloses that when the

display unit displays the stored second data, the display unit displays the stored first

data or the display unit displays the stored first data from the memory areas and stored

second data (Column 14, lines 1-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify Chernock to include the processing unit decides

based on information attached to the received data that part of the received data is the

first data or based on identification of program information a program (Page 14,

paragraph 0152, Page 17, paragraph 0173) and the processing unit stored the first data

into memory areas another than the exclusive memory area or based on programs sent

to the user first data is recorded on the VR/DMS system other than the advertising

sections which are reserved for the content providers including advertisers (Page 15,

paragraphs 0155, 0157) as taught by Lewis in order to enable the user and the provider

to sell or rent sections of storage and to allow customer profiles to help the sections to

target commercials for the particular customer (Page 18, paragraphs 0186-0187, Page

2, paragraph 0012) as disclosed by Lewis. Therefore, it would have been obvious to

one of ordinary skill in the art at the time the invention was made to modify the

combination to include when the display unit displays the stored second data, the

display unit displays the stored first data or the display unit displays the stored first data

from the memory areas and stored second data (Column 14, lines 1-12) as taught by

Zigmond in order to provide allow users to watch the most current advertisements

(Column 14, lines 1-12) as disclosed by Zigmond.

14.   Claims 63 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chernock in view of Zigmond.

Regarding Claims 63, Chernock discloses all the limitations of 59. Chernock

discloses that discloses that the display unit displays the entire second data stored in

the exclusive memory area (Column 8, lines 63-67, Column 9, lines 1-15, 20-45,

Column 6, lines 20-23, Column 11, lines 38-64).   Chernock is silent on in case the

entire second data is displayed, the display unit displays the first data memorized in the

memory areas. In analogous art, Zigmond discloses that advertisements are stored in a

storage area and programs are recorded and in case the display unit displays the stored

second data, the display unit displays the stored first data or the display unit displays

the stored first data from the memory areas and stored second data (Column 14, lines

1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the combination to include in case the display

unit displays the stored second data, the display unit displays the stored first data or the

display unit displays the stored first data from the memory areas and stored second

data (Column 14, lines 1-12) as taught by Zigmond in order to provide allow users to

watch the most current advertisements (Column 14, lines 1-12) as disclosed by

Zigmond.

Regarding Claims 64, Chernock discloses all the limitations of 59. Chernock

discloses that discloses that the display unit displays the entire second data stored in

the exclusive memory area (Column 8, lines 63-67, Column 9, lines 1-15, 20-45,

Column 6, lines 20-23, Column 11, lines 38-64). Chernock is silent on in case the

entire second data is displayed, the display unit displays the first data memorized in the

memory areas. In analogous art, Zigmond discloses that advertisements are stored in a

storage area and programs are recorded and in case the display unit displays

predetermined the stored second data or based on selection criteria, the display unit

displays the stored first data or the display unit displays the stored first data from the

memory areas and stored second data (Column 14, lines 1-12). Therefore, it would

have been obvious to one of ordinary skill in the art at the time the invention was made

to modify the combination to include in case the display unit predetermined the stored

second data or based on selection criteria, the display unit displays the stored first data

or the display unit displays the stored first data from the memory areas and stored

second data (Column 14, lines 1-12) as taught by Zigmond in order to provide allow

users to watch the most current advertisements (Column 14, lines 1-12) as disclosed by

Zigmond.

Conclusion

15.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farzana E. Hossain whose telephone number is 571-272-5943. The examiner can normally be reached on Monday to Friday 7:30 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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FEH
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